

From **Lee Matthews**  
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Dear Clerk

## **PUBLIC SPACES PROTECTION ORDERS**

Isle of Wight Council Orders (which enable the authority to enforce against a range of antisocial and environmental crimes) are coming to an end, and the council will be replacing these with Public Space protection orders (PSPO) which have been introduced under the Anti-social Behaviour, Crime and Policing Act 2014.

A public space protection order (PSPO) can require or prohibit certain activities from taking place in certain places (restricted areas) in order to prevent or reduce any detrimental effect caused by those activities to local people. PSPOs are intended to:

- Tackle a wide range of behaviour similar to the "good rule and government" byelaws under the Local Government Act 1972 but with the option of a fixed penalty notice on breach (see PSPOs and byelaws: overlap) and more flexibility.
- Reduce bureaucracy by no longer requiring local authorities to produce information for reports for central government.
- Cut down on existing consultation requirements by only requiring local authorities to comply with "light-touch" consultation requirements in order to save costs.
- Allow local authorities to deal with both existing and future problems by using a single order to combat a variety of different issues.
- Replace designated public place orders, gating orders and dog control orders.

The activity restricted by an Order must be carried out in a public place, which is defined in the legislation as 'any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission'.

The council can only make a PSPO if it is satisfied on reasonable grounds that the following conditions have been met:

1. The activities carried out in the public place have or are likely to have a detrimental effect on the quality of life of those in the locality or it is likely that activities will be carried on in a public place in that area and that they will have such an effect; and,

Cont ...

2. The effect of the activities are, or are likely, to be of a persistent or continuing nature, such as to make them unreasonable and justifying any restrictions or requirements imposed in the PSPO.

We shall be seeking to publicise the contents of the new Order formally during the spring, but we wanted to write to key stakeholders now with our initial proposals, so you can provide comments and further suggestions before we go out to formal consultation early next year.

These Orders will replace our existing Dog Control and Designated Public Places Orders. Orders falling within the jurisdiction of the Environment officers' service will only be enforced in areas where the service has been commissioned.

I have attached to this letter our proposals for the new PSPO and would kindly ask for your comments by the **December 15<sup>th</sup>2018**. Any suggestions to amendments within an order, or for the creation of a new order must be based on evidence of anti-social behaviour.

Should you require any further information prior to your feedback please contact me on the details above.

Yours faithfully

A handwritten signature in black ink, appearing to be 'L. Matthews', written over a horizontal line.

Lee Matthews  
**Recreation, Leisure and Public Spaces Manager**